



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAVID P. LITTELL
COMMISSIONER

The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM))

**Departmental
Finding of Fact and Order
Air Emission License
Renewal**

After review of the air emissions license application, staff investigation reports and other documents in the applicant's file in the Bureau of Air Quality, pursuant to 38 M.R.S.A., Section 344 and Section 590, the Department finds the following facts:

I. REGISTRATION

A. Introduction

Southern Maine Medical Center (SMMC) in Biddeford, Maine has applied to renew their Air Emission License to operate air emission sources associated with their health care facility.

SMMC has requested a modification to their license to correct the fuel firing rates of two generators and include the retroactive New Source Performance Standards of Generator #3.

B. Emission Equipment

SMMC operates the following equipment:

Fuel Burning Equipment

Emission Unit	Max. Capacity (MMBTU/hr)	Max. Firing Rate	Date of Construction	Fuel Type	Stack #
Boiler #1	12.6	90 gal/hr 12,353 scf/hr	1978	#2 fuel oil natural gas	1
Boiler #2	12.6	90 gal/hr 12,353 scf/hr	1978	#2 fuel oil natural gas	1
Boiler #3	6.3	45 gal/hr 6,177 scf/hr	1990	#2 fuel oil natural gas	1
*Boiler #4	0.924	905.9 scf/hr	To be determined	natural gas	3

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The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM) 2

Departmental
Finding of Fact and Order
Air Emission License
Renewal

*Boiler #5	0.768	752.9 scf/hr	To be determined	natural gas	4
*AH #1	0.400	392.2 scf/hr	To be determined	natural gas	5
*AH #2	0.400	392.2 scf/hr	To be determined	natural gas	6
*AH #3	0.400	392.2 scf/hr	To be determined	natural gas	7

* Designates equipment that is considered to be insignificant and is listed for inventory purposes only.

Electric Generating Equipment

<u>Emission Unit</u>	<u>Max. Capacity</u>	<u>Max. Firing Rate</u>	<u>Fuel, %Sulfur</u>
Generator #1	7.4 MMBtu/hr	54.0 gal/hr	Diesel Fuel, 0.05% Sulfur
Generator #2	7.4 MMBtu/hr	54.0 gal/hr	Diesel Fuel, 0.05% Sulfur
Generator #3	5.12 MMBtu/hr	34.8 gal/hr	Diesel Fuel, 0.05% Sulfur

C. Application Classification

This modification will increase emissions by less than 4 ton/year for each single pollutant and less than 8 ton/year for all pollutants combined. Therefore, this application is determined to be a License renewal with a minor revision and has been processed as such. With the operational limits on Generators #1, #2, and #3, SMMC is licensed below the major source thresholds and is considered a synthetic minor source.

II. BEST PRACTICAL TREATMENT (BPT)

A. Introduction

In order to receive a license the applicant must control emissions from each unit to a level considered by the Department to represent Best Practical Treatment (BPT), as defined in *Definitions Regulation*, 06-096 CMR 100 (last amended December 24, 2005). Separate control requirement categories exist for new and existing equipment as well as for those sources located in designated non-attainment areas.

BPT for existing emissions equipment means that method which controls or reduces emissions to the lowest possible level considering:

- the existing state of technology;
- the effectiveness of available alternatives for reducing emissions from the source being considered; and
- the economic feasibility for the type of establishment involved.

B. Boilers #1, #2, and #3

Boilers #1, #2 and #3 are rated with maximum capacities of 12.6, 12.6 and 6.3 MMBtu/hr and manufactured in 1978, 1978, and 1990 respectively. 40 CFR, Part 60, Subpart Dc applies to fuel burning units between 10 MMBtu/hr and 100 MMBtu/hr, and installed after June 9, 1989. Therefore, the boilers are not subject to 40 CFR, Part 60, Subpart Dc.

BPT for the Boilers was established in Air Emission License A-006-71-K-A/R and shall consist of the following:

1. *Fuel Burning Equipment Particulate Emission Standard*, 06-096 CMR 103 (last amended November 3, 1990) regulates PM emission limits. However limits of 0.10 lb/MMBtu when firing #2 fuel oil, and 0.05 lb/MMBtu when firing natural gas are more stringent and shall be considered BPT. The PM₁₀ limits are derived from the PM limits.
2. *Low Sulfur Fuel*, 06-096 CMR 106 (last amended June 9, 1999) regulates fuel sulfur content, however the use of #2 fuel oil with a sulfur content not exceeding 0.35% or natural gas is more stringent and shall be considered BPT.
3. NOx, CO and VOC emission limits are based upon AP-42 data for the combustion of fuel oil and natural gas.
4. Opacity from the common stack serving the boilers and Generators #1 and #2 shall not exceed 30% on a six minute block average, except for no more than three (3), six (6) minute block averages in a 3-hour period.

C. Generators #1 and #2

SMMC operates Generators #1 and #2 for emergency power and peak shaving to reduce electricity costs. A modeling analysis was performed for the original license A-006-74-E-A/R, issued March 17, 1992, which showed Maine Ambient Air Quality Standard (MAAQS) were not violated.

The Webber Hospital Association)	Departmental
dba. Southern Maine Medical Center)	Finding of Fact and Order
York County)	Air Emission License
Biddeford, Maine)	Renewal
A-006-71-O-R/M (SM)	4	

BPT for Generators #1 and #2 consists of the following:

1. Generators #1 and #2 shall be limited to 1000 hr/yr of combined operation based on a 12 month rolling total. Compliance shall be demonstrated by a written log of all generator operating hours.
2. SMMC shall notify the Department in the event that either Generator #1 or #2 exceed 100 hours peak shaving on a 12 month rolling total.
3. 06-096 CMR 106 regulates fuel sulfur content, however the use of diesel fuel with a sulfur content not to exceed 0.05% is more stringent and shall be considered BPT.
4. 06-096 CMR 103 regulates PM emission limits. The PM₁₀ limits are derived from the PM limits.
5. NO_x, CO, and VOC emission limits are based upon AP-42 data dated 10/96.
6. Opacity from the common stack serving the boilers and Generators #1 and #2 shall not exceed 30% on a six minute block average, except for no more than three (3), six (6) minute block averages in a 3-hour period.

D. Generator #3

Generator #3 is an Emergency Generator rated at 5.12 MMBtu/hr and was manufactured and installed in 2007. Generator #3 is therefore subject to New Source Performance Standards 40 CFR Part 60, Subpart IIII, *Standards of Performance for Stationary Compression Ignition Internal Combustion Engines*.

Emergency Generator is defined as any stationary internal combustion engine whose operation is limited to emergency situations and required testing and maintenance. Examples include stationary engines used to produce power for critical networks or equipment (including power supplied to portions of a facility) when electric power from the local utility (or the normal power source, if the facility runs on its own power production) is interrupted, or stationary engines used to pump water in the case of fire or flood. Stationary engines used to supply power to an electric grid or that supply power as part of a financial arrangement with another entity are not considered to be emergency engines

A summary of the BACT analysis for Generator #3 is the following:

1. Generator #3 shall fire only diesel fuel with a maximum sulfur content not to exceed 500 ppm.
2. Beginning October 1, 2010, Generator #3 shall fire only diesel fuel with a maximum sulfur content not to exceed 15 ppm.
3. Generator #3 shall be limited to 100 hr/yr of operation for maintenance checks and readiness testing. Generator #3 shall be limited to 500 hours per year of total operation. Both of these limits are based on a 12 month rolling total.

The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM) 5

**Departmental
Finding of Fact and Order
Air Emission License
Renewal**

Compliance shall be demonstrated by a written log of all generator operating hours.

4. Generator #3 shall be equipped with a non-resettable hour meter.
5. 06-096 CMR 103 regulates PM emission limits. However, a manufacturer not-to-exceed value of 0.12 gm/hp-hr (equates to 0.04 lb/MMBtu or 0.2 lb/hr) is more stringent and shall be considered BPT. The PM₁₀ limits are derived from the PM limits.
6. NO_x, CO, and VOC emission limits are based upon manufacturers not-to-exceed data.
7. SMMC shall operate and maintain Generator #3 in accordance with the manufacturer's written instructions. SMMC shall not change settings that are not approved in writing by the manufacturer.
8. Visible emissions from Generator #3 shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2) six (6) minute block averages in a continuous 3-hour period.

E. Facility Emissions and Fuel Use Caps

1. SMMC shall be limited to 300,000 gal/yr (12 month rolling total) of #2 Fuel with a sulfur content not to exceed 0.35% in boilers #1, #2, and #3.
2. SMMC shall be limited to 1000 combined hrs (12 month rolling total) of operation for Generators #1 and #2.
3. SMMC shall be limited to 500 hrs (12 month rolling total) of operation for Generator #3.
4. Emissions for the boilers are based on the worst-case scenario of firing 300,000 gallons of #2 fuel oil and the remainder of the year firing Natural gas for PM, PM₁₀, SO₂, and NO_x; and the continuous firing of Natural Gas for CO and VOC.

Total Licensed Annual Emissions for the Facility

12 month rolling total
(used to calculate the annual license fee)

	PM tons/yr	PM₁₀ tons/yr	SO₂ tons/yr	NO_x tons/yr	CO tons/yr	VOC tons/yr
Boilers	7.97	7.97	7.53	14.50	11.36	0.74
Generators #1 and #2	0.44	0.44	0.19	11.84	3.15	0.33
Generator #3	0.05	0.05	0.06	3.00	0.98	0.05
Total (tons/yr)	8.46	8.46	7.78	29.34	15.49	1.12

The Webber Hospital Association)	Departmental
dba. Southern Maine Medical Center)	Finding of Fact and Order
York County)	Air Emission License
Biddeford, Maine)	Renewal
A-006-71-O-R/M (SM)	6	

III. AMBIENT AIR QUALITY ANALYSIS

A modeling analysis was performed in Air Emission License A-006-74-E-A/R, issued March 17, 1992 demonstrating that emissions from the facility, in conjunction with all other sources, do not violate ambient air quality standards. An additional ambient air quality analysis is not required for this renewal.

ORDER

Based on the above Findings and subject to conditions listed below the Department concludes that the emissions from this source:

- will receive Best Practical Treatment,
- will not violate applicable emission standards, and
- will not violate applicable ambient air quality standards, or increment standards either alone or in conjunction with emissions from other sources.

The Department hereby grants Air Emission License A-006-71-O-R/M, subject to the following conditions:

Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

STANDARD CONDITIONS

- (1) Employees and authorized representatives of the Department shall be allowed access to the licensee's premises during business hours, or any time during which any emissions units are in operation, and at such other times as the Department deems necessary for the purpose of performing tests, collecting samples, conducting inspections, or examining and copying records relating to emissions (38 M.R.S.A. §347-C).
- (2) The licensee shall acquire a new or amended air emission license prior to commencing construction of a modification, unless specifically provided for in Chapter 115. [06-096 CMR 115]
- (3) Approval to construct shall become invalid if the source has not commenced construction within eighteen (18) months after receipt of such approval or if construction is discontinued for a period of eighteen (18) months or more. The Department may extend this time period upon a satisfactory showing that an

extension is justified, but may condition such extension upon a review of either the control technology analysis or the ambient air quality standards analysis, or both. [06-096 CMR 115]

- (4) The licensee shall establish and maintain a continuing program of best management practices for suppression of fugitive particulate matter during any period of construction, reconstruction, or operation which may result in fugitive dust, and shall submit a description of the program to the Department upon request. [06-096 CMR 115]
- (5) The licensee shall pay the annual air emission license fee to the Department, calculated pursuant to Title 38 M.R.S.A. §353. [06-096 CMR 115]
- (6) The license does not convey any property rights of any sort, or any exclusive privilege. [06-096 CMR 115]
- (7) The licensee shall maintain and operate all emission units and air pollution systems required by the air emission license in a manner consistent with good air pollution control practice for minimizing emissions. [06-096 CMR 115]
- (8) The licensee shall maintain sufficient records to accurately document compliance with emission standards and license conditions and shall maintain such records for a minimum of six (6) years. The records shall be submitted to the Department upon written request. [06-096 CMR 115]
- (9) The licensee shall comply with all terms and conditions of the air emission license. The filing of an appeal by the licensee, the notification of planned changes or anticipated noncompliance by the licensee, or the filing of an application by the licensee for a renewal of a license or amendment shall not stay any condition of the license. [06-096 CMR 115]
- (10) The licensee may not use as a defense in an enforcement action that the disruption, cessation, or reduction of licensed operations would have been necessary in order to maintain compliance with the conditions of the air emission license. [06-096 CMR 115]
- (11) In accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department, the licensee shall:
 - A. perform stack testing to demonstrate compliance with the applicable emission standards under circumstances representative of the facility's normal process and operating conditions:

**The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM) 8**

**Departmental
Finding of Fact and Order
Air Emission License
Renewal**

1. within sixty (60) calendar days of receipt of a notification to test from the Department or EPA, if visible emissions, equipment operating parameters, staff inspection, air monitoring or other cause indicate to the Department that equipment may be operating out of compliance with emission standards or license conditions; or
 2. pursuant to any other requirement of this license to perform stack testing.
 - B. install or make provisions to install test ports that meet the criteria of 40 CFR Part 60, Appendix A, and test platforms, if necessary, and other accommodations necessary to allow emission testing; and
 - C. submit a written report to the Department within thirty (30) days from date of test completion.
- [06-096 CMR 115]
- (12) If the results of a stack test performed under circumstances representative of the facility's normal process and operating conditions indicate emissions in excess of the applicable standards, then:
- A. within thirty (30) days following receipt of such test results, the licensee shall re-test the non-complying emission source under circumstances representative of the facility's normal process and operating conditions and in accordance with the Department's air emission compliance test protocol and 40 CFR Part 60 or other method approved or required by the Department; and
 - B. the days of violation shall be presumed to include the date of stack test and each and every day of operation thereafter until compliance is demonstrated under normal and representative process and operating conditions, except to the extent that the facility can prove to the satisfaction of the Department that there were intervening days during which no violation occurred or that the violation was not continuing in nature; and
 - C. the licensee may, upon the approval of the Department following the successful demonstration of compliance at alternative load conditions, operate under such alternative load conditions on an interim basis prior to a demonstration of compliance under normal and representative process and operating conditions.
- [06-096 CMR 115]
- (13) Notwithstanding any other provisions in the State Implementation Plan approved by the EPA or Section 114(a) of the CAA, any credible evidence may be used for the purpose of establishing whether a person has violated or is in violation of any statute, regulation, or Part 70 license requirement. [06-096 CMR 115]
- (14) The licensee shall maintain records of malfunctions, failures, downtime, and any other similar change in operation of air pollution control systems or the emissions unit itself that would affect emission and that is not consistent with the terms and

The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM) 9

**Departmental
Finding of Fact and Order
Air Emission License
Renewal**

conditions of the air emission license. The licensee shall notify the Department within two (2) days or the next state working day, whichever is later, of such occasions where such changes result in an increase of emissions. The licensee shall report all excess emissions in the units of the applicable emission limitation. [06-096 CMR 115]

- (15) Upon written request from the Department, the licensee shall establish and maintain such records, make such reports, install, use and maintain such monitoring equipment, sample such emissions (in accordance with such methods, at such locations, at such intervals, and in such a manner as the Department shall prescribe), and provide other information as the Department may reasonably require to determine the licensee's compliance status. [06-096 CMR 115]

SPECIFIC CONDITIONS

(16) **Boilers #1, #2, and #3**

A. The boilers shall fire only #2 fuel oil or natural gas. The boilers shall not exceed 300,000 gal/yr of #2 fuel oil with a maximum sulfur content not to exceed 0.35% by weight. Compliance shall be demonstrated by fuel records from the supplier showing the quantity of fuel delivered and the percent sulfur of the fuel. Records of annual fuel use shall be kept on a 12-month rolling total basis. [06-096 CMR 115, BPT]

B. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Boiler #1	PM	0.10 (#2 oil) 0.05 (gas)	06-096 CMR 103(2)(B)(1)(a), A-006-74-E-A/R, BPT
Boiler #2	PM	0.10 (#2 oil) 0.05 (gas)	06-096 CMR 103(2)(B)(1)(a), A-006-74-E-A/R, BPT
Boiler #3	PM	0.10 (#2 oil) 0.05 (gas)	06-096 CMR 103(2)(B)(1)(a), A-006-74-E-A/R, BPT

The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM) 10

**Departmental
Finding of Fact and Order
Air Emission License
Renewal**

- C. Boiler emissions shall not exceed the following while firing #2 fuel oil. [06-096 CMR 115, A-006-74-E-A/R, BPT]:

Emission Unit	PM (lb/hr)	PM₁₀ (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1 & #2 (each)	1.26	1.26	4.47	1.80	0.45	0.05
Boiler #3	0.63	0.63	2.24	0.90	0.23	0.03

- D. Boiler emissions shall not exceed the following while firing natural gas. [06-096 CMR 115, A-006-74-E-A/R, BPT]:

Emission Unit	PM (lb/hr)	PM₁₀ (lb/hr)	SO₂ (lb/hr)	NO_x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Boiler #1 & #2 (each)	0.63	0.63	0.01	1.24	1.04	0.07
Boiler #3	0.32	0.32	0.01	0.62	0.52	0.03

- E. Visible emissions from the common stack serving the boilers and Generators #1 and #2 shall not exceed 30% opacity on a six (6) minute block average, except for no more than three (3), six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

(17) Generators #1 and #2

- A. Generators #1 and #2 shall be limited to 1000 hr/yr of combined operation (based on a 12 month rolling total). An hour meter shall be maintained and operated on Generators #1 and #2 for compliance purposes. [06-096 CMR 115, BPT]
- B. SMMC shall notify the Department in the event that either Generator #1 or #2 exceed 100 hours peak shaving on a 12 month rolling total. [06-096 CMR 115, BPT]
- C. Generators #1 and #2 shall fire diesel fuel with a sulfur content not to exceed 0.05% by weight. Compliance shall be based on fuel records from the supplier documenting the percent sulfur of the fuel. [06-096 CMR 115, BPT]

**The Webber Hospital Association)
 dba. Southern Maine Medical Center)
 York County)
 Biddeford, Maine)
 A-006-71-O-R/M (SM) 11**

**Departmental
 Finding of Fact and Order
 Air Emission License
 Renewal**

D. Emissions shall not exceed the following:

Emission Unit	Pollutant	lb/MMBtu	Origin and Authority
Generators #1 & #2 (each)	PM	0.12	06-096 CMR 103(2)(B)(1)(a), BPT

E. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

Emission Unit	PM (lb/hr)	PM ₁₀ (lb/hr)	SO ₂ (lb/hr)	NO _x (lb/hr)	CO (lb/hr)	VOC (lb/hr)
Generator #1	0.89	0.89	0.38	23.68	6.29	0.67
Generator #2	0.89	0.89	0.38	23.68	6.29	0.67

F. Visible emissions from the common stack serving the boilers and Generators #1 and #2 shall not exceed 30% opacity on a six (6) minute block average, except for no more than three (3), six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

(18) NSPS Emergency Generator (Generator #3)

- A. Generator #3 shall fire only diesel fuel with a maximum sulfur content not to exceed 500 ppm. [40 CFR 60.4207(a)]
- B. Beginning October 1, 2010, Generator #3 shall fire only diesel fuel with a maximum sulfur content not to exceed 15 ppm. [40 CFR 60.4207(b)]
- C. Generator #3 shall be limited to 100 hr/yr of operation for maintenance checks and readiness testing. Generator #3 shall be limited to 500 hours per year of total operation. Both of these limits are based on a 12 month rolling total. Compliance shall be demonstrated by a written log of all generator operating hours. [40 CFR 60.4211(E) and 06-096 CMR 115, BACT]
- D. Generator #3 shall be equipped with a non-resettable hour meter. [40 CFR 60.4209(a)]

The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM) 12

**Departmental
Finding of Fact and Order
Air Emission License
Renewal**

E. Emissions shall not exceed the following:

Emission Unit	Pollutant	gm/hp-hr	Origin and Authority
Generator #3	PM	0.12	06-096 CMR 103, BPT

F. Emissions shall not exceed the following [06-096 CMR 115, BPT]:

Emission Unit		PM	PM ₁₀	SO ₂	NO _x	CO	VOC
Generator #3	lb/hr	0.20	0.20	0.26	12.01	3.91	0.19

G. Generator #3 is subject to PM, CO, and NO_x + VOC emission requirements set forth in 40 CFR 60, Subpart IIII. Compliance with these emission requirements shall be demonstrated by certification from the manufacturer that this engine class meets the appropriate Tier standards. [40 CFR 60, Subpart IIII]

H. SMMC shall operate and maintain Generator #3 in accordance with the manufacturer's written instructions. SMMC shall not change settings that are not approved in writing by the manufacturer. [40 CFR 60.4211(a)]

I. Visible emissions from Generator #3 shall not exceed 20% opacity on a six (6) minute block average, except for no more than two (2), six (6) minute block averages in a continuous 3-hour period. [06-096 CMR 101]

(19) Annual Emission Statement

In accordance with *Emission Statements*, 06-096 CMR 137 (last amended November 8, 2008), the licensee shall annually report to the Department the information necessary to accurately update the State's emission inventory by means of:

- 1) A computer program and accompanying instructions supplied by the Department; or
- 2) A written emission statement containing the information required in 06-096 CMR 137.

The Webber Hospital Association)
dba. Southern Maine Medical Center)
York County)
Biddeford, Maine)
A-006-71-O-R/M (SM) 13

**Departmental
Finding of Fact and Order
Air Emission License
Renewal**

Reports and questions should be directed to:

Attn: Criteria Emission Inventory Coordinator
Maine DEP

Bureau of Air Quality
17 State House Station
Augusta, ME 04333-0017 Phone: (207) 287-2437

The emission statement must be submitted as specified by the date in 06-096 CMR 137.

- (20) SMMC shall notify the Department within 48 hours and submit a report to the Department on a quarterly basis if a malfunction or breakdown in any component causes a violation of any emission standard (Title 38 MRSA §605).

DONE AND DATED IN AUGUSTA, MAINE THIS 10th DAY OF November 2009.
DEPARTMENT OF ENVIRONMENTAL PROTECTION

BY: 
DAVID P. LITTELL, COMMISSIONER

The term of this license shall be five (5) years from the signature date above.

PLEASE NOTE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES

Date of initial receipt of application: 10/14/2008

Date of application acceptance: 10/16/2008

Date filed with the Board of Environmental Protection: _____

This order prepared Jonathan Voisine, Bureau of Air Quality

